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By Janelee JANELEE

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#14
6/11/03
PATENT
100/08410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MANFRED BERNDT et al.

Application No.: 09/595,420

Filed: June 15, 2000

For: APPARATUS FOR THE
OPERATION OF A MICROFLUIDIC
DEVICE

Examiner: Jennine M. Brown

Art Unit: 1755

RESPONSE UNDER 37 CFR §1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed February 4, 2003, for which a one month extension of time to respond until June 4, 2003 is enclosed herewith, Applicants respectfully request reconsideration based upon the following amendments and remarks:

REMARKS

Claims 1-13 are pending and stand rejected in the above-captioned application. Specifically, claims 1-13 were rejected under 35 U.S.C. §102(f) because those claims allegedly are conflicting with the claims of co-pending application no. 09/598,968 filed by Agilent Technologies on the same day as the instant application. Claims 1-13 were also provisionally rejected under the judicially created doctrine of double patenting over previously conflicting claims 1-14 and 18-25 of application No. 09/598,968. Based on the undersigned's discussions with legal representatives of Agilent Technologies, it is Applicants' understanding that the